

03-18-02

H4

03 CD



Practitioner's Docket No. RPS920000103US2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The application of: Crockett et al;

Application No.: 10/054,542

Group No.: 2827

Filed: 01/22/2002

Examiner: unassigned

For: INSERTION OF ELECTRICAL COMPONENT WITHIN A VIA OF A PRINTED CIRCUIT BOARD

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O.
OF ITEMS CONSIDERED AS OMITTED BY THE
P.T.O.--RESPONSE TO "NOTICE TO FILE CORRECTED APPLICATION PAPERS"

1. This is in response to the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" mailed for this application on February 11, 2002. A copy of the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" is enclosed.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

I hereby certify that this documents and the documents referred to as attached herein are being deposited with the United States Postal Service on this date March 15, 2002, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL 888550280 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Amirah Scarborough
(type or print name of person mailing paper)

Amirah Scarborough
Signature of person mailing paper

**EVIDENCE OF DEPOSIT OF ITEM(S) WITH APPLICATION INDICATED AS OMITTED IN THE
"NOTICE TO FILE CORRECTED APPLICATION PAPERS"**

2. In connection with the "Notice To File Corrected Application Papers" dated February 11, 2002, applicant submits the following evidence that the item(s) indicated as omitted were in fact deposited with the P.T.O. on January 22, 2002, which is the original date on which the papers for this application were deposited:

The above stated patent application was filed as a divisional application of prior U.S. Application Serial No. 09/775250, the entire disclosure of the prior application, from which an oath or declaration was supplied under 37 CFR 1.63(d) should be considered as part of the disclosure of the divisional application filed on January 22, 2002 as incorporated by reference under 37 CFR 1.76 on the "Utility Patent Application Transmittal" and "Preliminary Amendment" filed on January 22, 2002. Applicant relies upon the incorporation for any portion of the application inadvertently omitted from the submitted application parts.

Nevertheless, applicant has supplied **Figure 4** of the divisional application and the **abstract** including a supplemental Declaration and Power of Attorney referring to the "omitted" items as requested on the Notice to File Corrected Application Papers dated Feb. 11, 2002.

3. In accordance with the requirements of the Notice of June 5, 1996, 61 Fed. Reg. 30,041-30,046, applicant hereby:

- A. Petitions under 37 C.F.R. Section 1.53(e) for a review of the determination that the items in issue were omitted.
- B. Submits the petition fee under 37 C.F.R. Section 1.17(i).
- C. Submits evidence that the omitted items were in fact provided as described below.

4. Fee Payment

This is a **nonprovisional** application.

The petition fee, 37 C.F.R. Section 1.17(i), is paid as follows:

Charge Account No. 09-1990 the sum of \$ 130.00.

A duplicate of this petition is attached.

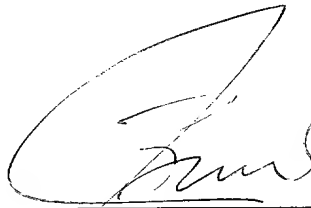
Please charge Account No. 09-1990 for any fee deficiency for this petition.

5. Request for Refund

It is respectfully requested that, upon grant of the petition under 37 C.F.R. Section 1.53(e), the petition fee be refunded by deposit to Account No. 09-1990.

Date:

3/15/12



J Bruce Schelkopf
Registration No. 43901
919-543 4753
Customer No. 25299

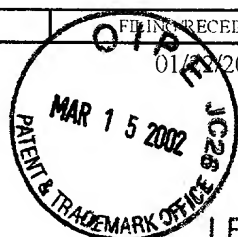


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/054,542	01/15/2002	Timothy Wayne Crockett	RPS920000103US2

25299
IBM CORPORATION
PO BOX 12195
DEPT 9CCA, BLDG 002
RESEARCH TRIANGLE PARK, NC 27709



PC COMPANY
LEGAL DEPARTMENT
RALEIGH

CONFIRMATION NO. 7178

FORMALITIES LETTER



OC000000007458773

'02 FEB 14 A11:03

Date Mailed: 02/11/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

The following item(s) appear to have been omitted from the application:

- Figure(s) 4 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

2002 FEB 14 10:54:43

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

20250424 10:50:00